

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**Criminal Miscellaneous No.25981 of 2016**

Arising Out of PS.Case No. -49 Year- 2004 Thana -MADHWAPUR District- MADHUBANI

Ramesh Paswan @ Ramesh Chandra Paswan S/o Shivilal Paswan resident  
of Village - Bengra, P.S. - Saharghat, District - Madhubani.

.... .... Petitioner

Versus

The State of Bihar.

.... .... Opposite Party

**Appearance :**

For the Petitioner : Mr. Rabindra Nath Kanth, Advocate  
For the Opposite Party : Mr. Smt Pushpa Sinha -2, APP

**CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH**  
**ORAL ORDER**

3      11-07-2016                      Heard learned counsel for the petitioner and learned  
counsel for the State.

The petitioner is apprehending his arrest in connection  
with Madhwapur (Saharghat) P.S. Case No. 49 of 2004 for the  
offences instituted under Sections 452, 376 and 511/34 of the  
Indian Penal Code.

Prosecution case, in brief, is that on 13.06.2004 at about  
9 P.M, Munna Thakur and petitioner Ramesh Paswan entered into  
the house of the informant in absence of her husband, caught hold  
her and pushed her and thereafter petitioner pressed her mouth  
from his hands while another co-accused attempted to commit  
rape. The informant protested and tried to save her, in the  
meantime, her husband and some other persons came there then

both accused fled away.

It has been submitted on behalf of the petitioner that the petitioner has falsely been implicated in the present case due to village politics. The police after investigation has submitted final form, finding the case to be false. The police has further recommended for the prosecution under Sections 182 and 211 of the IPC against the informant. The court has differed with the said final form and has taken cognizance against the petitioner.

On behalf of the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail in the event of his arrest or surrender before the learned court below within a period of six weeks from today in connection with Madhwapur (Saharghat) P.S. Case No. 49 of 2004/G.R.No.820 of 2004 on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Madhubani, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

**(Sudhir Singh, J)**

B.Kr./-

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